



EV206750144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Application Serial No. .... 09/286,822  
3 Filing Date ..... 4/05/99  
4 Inventorship ..... Grate et al.  
5 Assignee ..... Microsoft Corporation  
6 Group Art Unit ..... 2152  
7 Examiner ..... D. Blair  
8 Attorney's Docket No. .... MS1-305US  
9 Title: E-Commerce System and Method for Automated Configuration of Trading  
10 Relationships

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JUN 20 2003  
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SUPPLEMENTAL AFFIDAVIT TO  
DECLARATION UNDER 37 C.F.R. §1.131

10 As counsel representing inventors of the subject matter and responsible in  
11 the filing of the subject patent application, I hereby declare that:

12 The supporting documentation that was presented in response to the office  
13 action dated March 11, 2003, and related to the declaration submitted in response  
14 to the office action dated September 16, 2002 was not publicly disclosed prior to  
15 the filing date of April 5, 1999 of the subject application.

16 I declare that I am aware of the following activities as supported by  
17 documented email communications:

18 On August 14, 1998, an inventor, Thomas A. Grate, sent an email to in-  
19 house counsel at the Microsoft Corporation with a patent disclosure attached. I  
20 have been made aware of the process used by the patent legal department of the  
21 Microsoft Corporation for receiving a disclosure from an inventor and assigning it  
22 to outside counsel. Generally, an inventor submits an invention via a pre-  
23 disclosure document. The invention will be assigned an internal tracking number  
24 in an internal database, sometimes taking up to a month. The Microsoft  
25

1 Corporation patent attorney/paralegal ("patent team") reviews whether it is  
2 consistent and supportive of the group's strategic patent filing goals. This analysis  
3 typically takes 1 week to 3 months. Either prior to the submission of the pre-  
4 disclosure or after review by the patent team, the invention is reviewed by the  
5 business project leader for approval and review relative to other inventions and the  
6 patent budget. This secondary analysis may involve an additional 1 week to 3  
7 months. If the invention is approved, the pre-disclosure is processed which takes 1  
8 week to 1 month and outside counsel is assigned (approximately 1 week).

9 On January 5, 1999, in house counsel of the Microsoft Corporation sent a  
10 meeting notice to Lee & Hayes, PLLC (outside counsel) to meet with inventors.

11 On January 19, 1999, outside counsel met with inventors and discussed the  
12 invention disclosed in the invention disclosure.

13 On January 28, 1999, outside counsel sent a patent summary to in house  
14 counsel of the Microsoft Corporation.

15 On February 26, 1999, outside counsel sent a first draft of the application to  
16 the inventors.

17 On March 23, 1999, outside counsel prepared and sent formal papers  
18 (declaration and assignment) to inventors.

19 On April 1, 1999, outside counsel received the signed formal papers.

20 On April 5, 1999, outside counsel filed with the patent application with the  
21 USPTO.

22 All statements made herein of my own knowledge are true and that all  
23 statements made on information and belief are believed to be true; and further that  
24 these statements were made with the knowledge that willful false statements and the  
25 like so made are punishable by fine or imprisonment, or both, under Section 1001 of


1 Title 18 of the United States Code and that such willful false statement may  
2 jeopardize the validity of the application or any patent issued therefrom.  
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4 \* \* \* \* \*

5 Counsel

Lewis C. Lee

6 Counsel's Signature



Date: June 9, 2003

Lee & Hayes, PLLC

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